



Order Filed on August 1, 2017
by Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

George C. Greatrex, Jr., Esquire
SHIVERS, GOSNAY & GREATREX, LLC
Cherry Hill Plaza, Suite 309
1415 Route 70 East
Cherry Hill, NJ 08034
(856) 616-8080
Attorneys for Movant/ Wilton's Corner Proprietary
Association

In Re:

Dana L. McGovern,

Debtor

Case No. 15-14140

Chapter 13

Adv. No.:

Hearing Date: August 8, 2017 @ 10:00 a.m.

Judge: Jerrold N. Polusny, Jr.

**STIPULATION AND CONSENT ORDER RESOLVING SECURED CREDITOR
WILTON'S CORNER PROPRIETARY ASSOCIATION's MOTION
FOR RELIEF FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two-three 2-4 is
hereby **ORDERED**.

DATED: August 1, 2017



Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

This Stipulation and Consent Order ("Stipulation") is made this ____ day of _____, 2017 by and between Dana L. McGovern and Brian McGovern, Co-Debtor (hereinafter referred to as "Debtor"), by and through their counsel, Joseph J. Rogers, Esquire and Wilton's Corner Proprietary Association ("Creditor/Movant"), by and through its counsel, Shivers, Gosnay & Greatrex, LLC.

BACKGROUND

1. On July 13, 2017, Creditor filed a Motion for Relief from the Automatic Stay pursuant to 11 U.S.C. §362 covering Debtors' property at 17 Candlestick Lane, Sicklerville, NJ 08081.
2. The hearing on the Creditor's Motion for Relief from Automatic Stay is scheduled for August 8, 2017.
3. The parties have agreed to resolve the issues raised by the Creditor's Motion.

AGREEMENT

In consideration of the mutual covenants set forth herein and intending to be legally bound hereby, and subject to the approval of the Bankruptcy Court for the District of New Jersey, the parties agree as follows and jointly request the Court to confirm the Consent Order:

1. Debtor has failed to make the post-petition payments for dues and assessments, late fees and related charges through July 31, 2017 in the amount of \$1,587.00 plus counsel fees and costs of \$561.00 for this motion for a total of \$2,148.00.

2. Debtor shall cure the default of the post-petition payments in the following manner:

a. That the balance due for post-petition assessments in the amount of \$1,587.00 through July 31, 2017 be added and included in the Debtor's Chapter 13 Plan for repayment;

b. That the Creditor, Wilton's Corner Proprietary Association is hereby awarded reimbursement of fees in the sum of \$350.00 plus filing fee of \$181.00 and costs \$30.00, totaling \$561.00, which is to be included and paid through the Debtors' Chapter 13 Plan.

3. Debtor shall resume making timely monthly post-petition payments beginning with the August 1, 2017 assessment due in the amount of \$92.00 and for each and every month thereafter to Creditor's counsel's office at 1415 Route 70 East, Suite 309, Cherry Hill, NJ 08034. All payments are to be made in certified funds made payable to "Wilton's Corner Proprietary Association" and delivered to Creditor's counsel's office located at Shivers, Gosnay & Greatrex, LLC, 1415 Route 70 East, Suite 309, Cherry Hill, NJ 08034.

4. In the event that Debtor fails to make the required payments set forth in paragraphs 2 - 3 above or fail to cure same within thirty (30) days from its due date, and after Debtor's counsel has received ten (10) days written notice of the failure to make such payments, Creditor shall be entitled to relief from the automatic stay by presenting a copy of this Stipulation and Consent Order with a ten (10) day Certificate of Default and, if the default is not cured within the ten (10) day period, a proposed Order to the Court for immediate relief will be submitted. Notice of the

filing of the Certification of Default and accompanying papers shall be given to Debtor's counsel.

5. This Stipulation is without prejudice to the rights of Creditor to renew its Motion for Relief from Automatic Stay and Objection should it, in its sole discretion, decide to do so.

Approved as an Order of this Court this ____ day of _____ 2017.

By the Court:

Honorable Jerrold N. Polusny, Jr., USBJ

**SHIVERS, GOSNAY & GREATREX,
LLC**

By: /s/George C. Greatrex
George C. Greatrex, Jr., Esquire
Cherry Hill Plaza, Suite 309
1415 Route 70 East
Cherry Hill, NJ 08034
Attorney for Creditor

/s/Joseph J. Rogers
Joseph J. Rogers, Esquire
901 Rte. 168, Suite 407A
Turnersville, NJ 08012
Attorney for Debtor

INTERESTED PARTIES TO BE SERVED

Dana L. McGovern, Debtor
17 Candlestick Lane
Sicklerville, NJ 08081

Brian McGovern, Co-Debtor
17 Candlestick Lane
Sicklerville, NJ 08081

Isabel C. Balboa
Chapter 13 Standing Trustee
Cherry Tree Corporate Center
535 Route 38 - Suite 580
Cherry Hill, NJ 08002

United States Trustee
Office of the United States Trustee
One Newark Center, Suite 2100
Newark, NJ 07102-5235

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Dana L. McGovern
Debtor

Case No. 15-14140-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 01, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 03, 2017.

db +Dana L. McGovern, 17 Candlestick Lane, Sicklerville, NJ 08081-5694

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 03, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 1, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com

George C. Greatrex, Jr. on behalf of Creditor Wilton's Corner Proprietary Association
ggreatrex@sgglawfirm.com, kmuchler@verizon.net

Isabel C. Balboa ecfm@standingtrustee.com, summarymail@standingtrustee.com

Jeanette F. Frankenberg on behalf of Creditor Bank of America, N.A. cmecf@sternlav.com

Joseph J. Rogers on behalf of Debtor Dana L. McGovern jjresq@comcast.net, jjresq1@comcast.net
TOTAL: 5